

Wetlands Bureau Decision Report

Decisions Taken
09/04/2004 to 09/10/2004

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 20 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Brian Fowler, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2004-00572 MORRELL CORPORATION
BARTLETT Unnamed Pond

Requested Action:

Conduct a maintenance dredge impacting 35,000 square feet of a pond at Story Land Amusement Park to provide continued use.
Re-construct an outflow structure impacting approximately 50 square feet, to include 10 linear feet of impacts to a perennial stream channel.

Conservation Commission/Staff Comments:

Conservation Commission approves of the project, requests notice of intent to start work within 24 hours.

Inspection Date: 05/26/2004 by Jeffrey D Blecharczyk

APPROVE PERMIT:

Conduct a maintenance dredge impacting 35,000 square feet of a pond at Story Land Amusement Park to provide continued use.
Re-construct an outflow structure impacting approximately 50 square feet, to include 10 linear feet of impacts to a perennial stream channel.

With Conditions:

1. All work for the maintenance dredge shall be in accordance with plans by Fernstone Associates dated March 19, 2004, as received by the Department on April 7, 2004.
2. All work for the proposed outflow structure prepared by the applicant, dated August 10, 2004, as received by the Department on August 12, 2004, are contingent on approval by the DES Dam Safety Program for construction of the new outlet structure. No work shall commence on the outflow structure until issuance of a permit from the Dam Bureau.
3. The applicant shall notify DES and the local conservation commission of their intention to commence construction no less than 5 business days prior to construction.
4. Work shall be done during drawdown.
5. Discharge of sediments from the work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. The contractor responsible for the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992) to effectively dewater the dredged sediments.
10. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This is a maintenance dredge project impacting 35,000 sq ft of nontidal surface waters and is therefore a major impact project per Administrative Rule Wt 303.02(c), alteration in excess of 20,000 sq ft of nontidal surface waters.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on May 26, 2004. Field inspection determined the site was accurately documented for the proposed dredge.
6. The May 26, 2004, site inspection determined the present means for controlling water levels in the pond were not approvable, and requires additional permitting.

7. The Applicant provided appropriate means for controlling water levels with a new outflow structure.
8. The proposed outflow structure is contingent on final approval by the DES Dam Bureau.
8. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this wetland ecosystem.
9. The Department has determined the project will not create a loss in wetland functions and values, in accordance with Administrative Rule Wt 801.01.
10. The Department has determined the proposed impacts, a maintenance dredge, will not permanent alter the open water ecosystem, in accordance with Administrative Rule Wt. 302.03(d).

MINOR IMPACT PROJECT

2003-02522 TRAFFIE, ALVAN
NEW IPSWICH Souhegan River

Requested Action:

Fill approximately 14,837 square feet of palustrine forested wetlands to provide access to a 33-Lot residential subdivision. Preserve 7.84 acres in a conservation easement on proposed Lot 32, consisting of approximately 5.75 acres of jurisdictional wetlands and 2.09 acres of upland buffer, as compensatory mitigation for project-related wetlands impacts.

Conservation Commission/Staff Comments:

Conservation Commission requested a hold on the application per RSA 482-A:11,III, on November 14, 2003.

Conservation Commission submitted comments on December 24, 2003, requesting alternative layouts for the subdivision road and consideration for cluster development potentially reducing impacts.

Souhegan River Local Advisory Committee (SRLAC) concerned about post-construction runoff and the ability of the onsite wetlands to handle storm events. SRLAC concurs with Conservation Commission for cluster subdivision concept.

Inspection Date: 12/23/2003 by Jeffrey D Blecharczyk

APPROVE PERMIT:

Fill approximately 14,837 square feet of palustrine forested wetlands to provide access to a 33-Lot residential subdivision. Preserve 7.84 acres in a conservation easement on proposed Lot 32, consisting of approximately 5.75 acres of jurisdictional wetlands and 2.09 acres of upland buffer, as compensatory mitigation for project-related wetlands impacts.

With Conditions:

1. All work shall be in accordance with plans by Burd Engineering, dated April 20, 2004, as received by the Department on April 30, 2004; and the Preliminary Wetland Mitigation Area plan by Burd Engineering, dated August 2, 2004, as received by the Department on August 11, 2004.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Dam Safety Program.
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
6. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
7. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #6 of this approval.
8. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
9. Work shall be conducted during low flow.

10. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
 11. Proper headwalls shall be installed.
 12. Appropriate erosion/siltation/turbidity controls shall be installed prior to construction, maintained during construction, and remain until the area is stabilized. Silt fencing must be removed once the area is stabilized.
 13. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
 14. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
 15. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
 16. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
 17. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
- Wetland preservation:

18. This permit is contingent upon the establishment of 7.84 acres of Common Land to serve as compensatory mitigation for project-related wetlands impacts, as depicted on the Preliminary Wetland Mitigation Area plan ("Wetland Mitigation Plan") by Burd Engineering, dated August 2, 2004, as received by the Department on August 11, 2004. Said Common Land shall consist of approximately 5.75 acres of jurisdictional wetlands and approximately 2.09 acres of contiguous upland buffer.
19. The conservation easements to be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this easement.
20. The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.
21. The applicant shall prepare a report summarizing existing conditions within the conservation area. Said report shall contain photographic documentation of the easement area, and shall be submitted to the DES and the grantee prior to construction to serve as a baseline for future monitoring of the easement area.
22. The conservation easement area shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction.
23. The Wetlands Bureau shall be notified of the placement of the easement monuments to coordinate on-site review of their location prior to construction.
24. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.
25. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

1. The project is categorized as a Minor Project, per Rule Wt 303.03(h).
2. Project activities are necessary to provide vehicular access to a 33 Lot residential subdivision.
3. The applicant will preserve 7.84 acres of Conservation Land, consisting of approximately 5.75 acres of jurisdictional wetlands and 2.09 acres of upland buffer, as compensatory mitigation for project-related wetlands impacts.
4. The applicant has sufficiently demonstrated that the proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction, in accordance with Rule Wt 302.03.
5. The applicant has adequately addressed the requirements for application evaluation identified in Rule Wt 302.04(a).
6. The applicant has adequately addressed the subdivision approval conditions described in Rule Wt 304.09(a).
7. DES Staff conducted a field inspection of the proposed project on December 23, 2003. Field inspection determined plans accurately depict site conditions.
8. The Department has determined alternate road layouts would have greater secondary impacts to the local ecology.
9. The Department has determined the proposed stormwater treatment designs will adequately maintain the pre-development flows offsite after development.

2004-00198 NATASHA REALTY TRUST, BOND FLETCHER TTEE
MEREDITH Lake Winnisquam

Requested Action:

Applicant requests amendment with revised plan showing actual dimensions of existing walkway to be repaired.

Conservation Commission/Staff Comments:

Con. Com. requested site inspection.

APPROVE AMENDMENT:

Repair an existing 4 ft x 28 ft walkway connected to an existing 4 ft x 20 ft pier, in an 'L' shape, in-kind, permanently remove an existing 6 ft x 42 ft dock and replace with (2) 6 ft x 40 ft seasonal docks connected by a 6 ft x 12 ft seasonal walkway in a 'U' shape, and install a 10 ft x 10 ft seasonal boatlift on an average of 930 ft of frontage on Loon Island, Lake Winnisquam.

With Conditions:

With Amended Conditions:

1. All work shall be in accordance with plans by Center Harbor Dock and Pier, as received by the Department on September 3, 2004.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. Repair shall maintain existing size, location and configuration.
6. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. Seasonal piers and boatlifts shall be removed for the non-boating season.
10. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(a), construction of (2) seasonal docks, and repair of an existing dock for a total of 4 boatslips.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on May 11, 2004.

2004-00921 AAM BUILDERS INC
LOUDON Unnamed Wetland

Requested Action:

Dredge and fill 6513 square feet of palustrine forested wetland for roadway construction in the subdivision of 96 acres into 13 single family residential lots and one residual lot.

APPROVE PERMIT:

Dredge and fill 6513 square feet of palustrine forested wetland for roadway construction in the subdivision of 96 acres into 13 single family residential lots and one residual lot.

With Conditions:

1. All work shall be in accordance with plans by Burd Engineering dated March 18, 2004, as received by the Department on May 14, 2004 and Subdivision Plans by FWS Land Surveying dated April 5, 2004, as received by the Department on May 14, 2004.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. This permit is contingent upon approval by the DES Alteration of Terrain Program.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback on all single family residential lots.
5. The deed which accompanies the sales transaction for each of the single family residential lots in this subdivision shall contain condition #4 of this approval.
6. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
7. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, NH to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
9. Work shall be done during low flow.
10. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
11. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
12. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
13. Proper headwalls shall be constructed within seven days of culvert installation.
14. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
15. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
16. Silt fencing must be removed once the area is stabilized.
17. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on July 21, 2004. Field inspection determined the wetlands were delineated accurately and the layout of the road was designed to be the least impacting alternative.

2004-00933 DIFEO, CRAIG
LACONIA Lake Winnepesaukee

Requested Action:

Permanently remove an existing 365 sq ft, 3-slip docking structure and replace with (3) 6 ft x 30 ft piling supported piers, connected by (2) 4 ft x 12 ft walkways, in a "W" configuration, accessed by a 6 ft x 8 ft walkway, drive (4) fender pilings, and install (2) 3-piling ice clusters on an average of 446 ft of frontage on Paugus Bay, Lake Winnepesaukee.

Conservation Commission/Staff Comments:
Con. Com. did not comment on project.

APPROVE PERMIT:

Permanently remove an existing 365 sq ft, 3-slip docking structure and replace with (3) 6 ft x 30 ft piling supported piers, connected by (2) 4 ft x 12 ft walkways, in a "W" configuration, accessed by a 6 ft x 8 ft walkway, drive (4) fender pilings, and install (2) 3-piling ice clusters on an average of 446 ft of frontage on Paugus Bay, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction revised August 5, 2004, as received by the Department on September 1, 2004.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. All portions of the existing docking structure and associated construction debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau prior to new construction.
6. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
8. Pilings shall be placed a minimum of 12 feet apart.
9. Any future use of the docking facility designed for commercial use shall require local and state approval.
10. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d), construction of a 4-slip piling supported docking structure.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. Abutter complained about closeness of docking structure as a navigational hazard. Applicant revised the plan locating the proposed docking structure further from the statutory required 20 feet away from the abutting property line.
6. DES did not receive any comments from the Laconia Conservation Commission concerning the proposed docking structure.
7. The abutter requested a site inspection. This is a minor project, per Rule Wt 303.03(d) and therefore does not require a site inspection.

2004-01477 NH DEPT OF TRANSPORTATION
KEENE Unnamed Wetland

Requested Action:

Construct a state liquor store and parking impacting 11,717 sq. ft. of palustrine scrub shrub and forested wetlands. Mitigate by constructing 10,783 sq. ft. of wetlands and providing a buffer of no further disturbance.

APPROVE PERMIT:

Construct a state liquor store and parking impacting 11,717 sq. ft. of palustrine scrub shrub and forested wetlands. Mitigate by constructing 10,783 sq. ft. of wetlands and providing a buffer of no further disturbance.

With Conditions:

1. All work shall be in accordance with plans by Nobis Engineering, Inc. revised 08/22/04 as received by the Department on September 1, 2004, EXCEPT as conditioned below.

2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction unless as otherwise authorized by this permit.
3. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
5. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
7. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Matting and pinning shall stabilize slopes steeper than 3:1.
8. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
9. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
10. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.
11. The areas of "no further disturbance" shall be a minimum of 50 feet in width around the construction zone and a minimum of one acre in size.
12. A copy of the plan locating the "areas of no further disturbance" shall be recorded with the Registry of Deeds Office for each appropriate lot and a copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to construction of the building.
13. The applicant shall submit a baseline document, by a qualified professional, assessing the no disturbance area prior to construction of the building.
14. The Wetlands Bureau shall be notified of any subsequent transfers of the property.

Wetland construction:

15. This permit is contingent upon the construction of 10,783 sq. ft. of wetlands (mitigation areas) in accordance with plans received September 1, 2004.
16. The schedule for wetland construction shall be as stated on the plan.
17. The mitigation area shall be properly constructed, monitored, managed in accordance with approved final mitigation plans, and the entire mitigation area shall be preserved from future development.
18. Wetland soils from areas vegetated with purple loosestrife shall not be used in the wetland construction site. In other areas the permittee considers spreading the spoils, the potential for the establishment of the invasive species should be considered to limit its further establishment.
19. Wetland construction areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or it shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
20. Wetland construction areas shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create functioning wetland areas similar to those of the wetlands destroyed by the project. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydraulic regime.
21. The applicant shall designate a qualified professional who will have the responsibility to assure that the mitigation area is constructed in accordance with the mitigation plan, that monitoring is accomplished in a timely fashion, and remedial measures are taken if necessary. The Wetlands Bureau shall be notified of the designated professional prior to the start of work and if there is a change of status during the project.
22. The applicant shall monitor the initial construction of the mitigation area to assure the work is accomplished in accordance with the plan, and that the necessary soil, water and vegetation is present upon completion of work. Site monitoring shall include a plan for removing invasive species.
23. The applicant shall conduct a follow-up inspection after the first growing season, to review the success of the mitigation area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the initial completion of each mitigation site. After at least five full growing seasons, the applicant shall delineate the wetlands within the mitigation site and document the delineation with data forms and depict the delineation as an overlay of the final as-built plans.
24. The applicant shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrium salicaria*) and common reed

(*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.

Wetland preservation:

25. The "areas of no further disturbance" shall be marked by stakes and signs indicating the location and restrictions of the area prior to construction of the building.
26. There shall be no removal of the existing vegetative undergrowth within the "areas of no further disturbance" and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.
27. Activities in contravention of the "areas of no further disturbance" shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), alteration of less than 20,000 sq. ft. of nontidal wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence, which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. On September 17, 2003 the conceptual project for an 8,000-10,000 sq. ft. building with similar wetlands impacts was discussed at the Natural Resource Agency Meeting held at the NHDOT.
6. DES Staff conducted a field inspection of the proposed project in November of 2003. Field inspection determined that the original concept was an approvable project.
7. On June 30, 2003 an application requesting 18,620 sq. ft. of impact was received.
8. On July 30, 2004, the DES received comments from the Conservation Commission through the City Planner. Concerns were noted including aesthetics, possible alternative designs to reduce impacts by relocating the building and parking and mitigation.
9. On August 12, 2004, The DES Wetlands Bureau requested more information and suggested numerous design changes to reduce impacts and to mitigate on site by transplanting.
10. On September 1, 2004, the DES received modified plans reducing wetlands impacts from 18,620 sq. ft. to 11,719 sq. ft. and constructing 10,783 sq. ft. of wetlands. The submittal included explanations of the increase in building size, the land ownership including the purchase of land since the original concept in order to reduce impacts and a commitment of providing a deed restriction providing a "no disturbance zone".
11. The DES has determined that in this case the net loss of 936 sq. ft. of wetlands will not invoke all of the requirements of Part Wt 800.

2004-01630 BORGHI, AL
WOLFEBORO Lake Winnepesaukee

Requested Action:

Install a 6 ft x 40 ft hinged seasonal dock connected to an existing 6 ft x 40 ft hinged seasonal dock, in a "U" configuration, by a 6 ft x 12 ft seasonal walkway, and retain (1) 9 ft x 12 ft seasonal boatlift and (2) jet ski lifts on an average of 150 ft of frontage on Winter Harbor, Lake Winnepesaukee.

Conservation Commission/Staff Comments:

Con. Com. did not respond to application.

APPROVE PERMIT:

Install a 6 ft x 40 ft hinged seasonal dock connected to an existing 6 ft x 40 ft hinged seasonal dock, in a "U" configuration, by a 6 ft x 12 ft seasonal walkway, and retain (1) 9 ft x 12 ft seasonal boatlift and (2) jet ski lifts on an average of 150 ft of frontage on Winter Harbor, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated April 25, 2004, as received by the Department on July 16, 2004.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.

3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
7. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
8. Seasonal structures shall be removed from the lake for the non-boating season.
9. No portion of the pier shall extend more than 40 feet from the shoreline at full lake elevation.
10. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d), construction of a 3-slip seasonal docking structure.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2004-01821 DANAHY, JOHN
WINCHESTER Lake Forest

Requested Action:

Applicant requests to retain 45 linear ft of repaired stone wall.

Conservation Commission/Staff Comments:

Con. Com. signed application.

Review of file history indicates work has already been done. Photos from 1999 file show an old, deteriorated shoreline with little or no wall remaining.

APPROVE AFTER THE FACT:

Retain a 45 linear ft retaining wall repair on an average of 220 ft of frontage on Forest Lake, Winchester.

With Conditions:

1. All work shall be in accordance with plans by Steve Knowlton dated July 28, 2004, as received by the Department on August 6, 2004.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
4. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
5. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

MINIMUM IMPACT PROJECT

2004-00896 HARVEST VIEW LLC
AMHERST Unnamed Wetland

Requested Action:

Impact 2,850 sq. ft. of wetlands to construct a road crossing, including a 15" x 40' culvert for an 86 unit development on 143.7 acres.

Conservation Commission/Staff Comments:

Con. Com. did not sign expedited application, is an abutter to the property, and is concerned about future increases in road design impacting more wetlands.

APPROVE PERMIT:

Impact 2,850 sq. ft. of wetlands to construct a road crossing, including a 15" x 40' culvert for an 86 unit development on 143.7 acres.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services, Inc. dated April 5, 2004, as received by the Department on May 14, 2004, and per narrative by Meridian Land Services Inc. dated August 10, 2004, received by the Department on August 12, 2004.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of swamps or wet meadows.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has submitted information in a letter dated August 10, 2004 by Meridian Land Services that states that the entrance road is positioned to achieve appropriate site distance for safety, as well as to make use of the disturbed wetlands crossing area of the existing woods road; and that the secondary access is to be an emergency access only.
6. The crossing plans submitted by the applicant depict a full size road design with associated slope grading, which would not be expected to need to be enlarged, as was the Con. Com.'s concern.
7. The abutters' concerns regarding development of the property outside of the requested wetlands impact is beyond the authority of the wetlands bureau to regulate.

2004-01713 YELLADOG REALTY LLC
TEMPLE Unnamed Wetland

Requested Action:

Retain approximately 500 square feet of impacts to palustrine emergent, scrub-shrub wetlands and 40 linear feet of an intermittent stream to convert a forestry crossing to permanent access for commercial development.

APPROVE PERMIT:

Retain approximately 500 square feet of impacts to palustrine emergent, scrub-shrub wetlands and 40 linear feet of an intermittent stream to convert a forestry crossing to permanent access for commercial development.

With Conditions:

1. All work shall be in accordance with plans by TODD Land Use Consultants dated July 13, 2004, as received by the Department on July 23, 2004.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Work shall be done during low flow.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
6. No fill shall be done for lot development.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Culvert outlets shall be properly rip rapped.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
11. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 sq ft of nontidal jurisdictional wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. This is a conversion of an approved forestry crossing, Wetland Permit # 01-1880, to permanent crossing for non forestry purposes.

FORESTRY NOTIFICATION

2004-01924 LORDEN, FRANCIS
LYNDEBOROUGH Unnamed Stream

COMPLETE NOTIFICATION:
Lyndeboro Tax Map 2, Lot# 11

EXPEDITED MINIMUM

2004-01475 MADISON, TOWN OF
MADISON

Requested Action:

Fill approximately 12 linear feet of unnamed brook for the installation of a 4-foot by 12-foot culvert to improve passage for public safety.

Conservation Commission/Staff Comments:

The Madison Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Fill approximately 12 linear feet of unnamed brook for the installation of a 4-foot by 12-foot culvert to improve passage for public safety.

With Conditions:

1. All work shall be in accordance with plans by William Chick, as received by the Department on September 10, 2004.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Work shall be done during no flow conditions.
5. Unconfined work within the brook, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
6. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
7. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Temporary cofferdams shall be entirely removed immediately following construction.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional wetland
2. Public Safety!
3. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2004-01503 DICKINSON, GREGORY
GILFORD Lake Winnepesaukee

Requested Action:

Completely remove an existing 6 ft by 30 ft seasonal dock, completely remove an existing 6 ft by 4 ft concrete pad in the bank and restore the shoreline to natural conditions, excavate 24 sqft to install a 6 ft by 4 ft concrete pad, construct a 6 ft by 40 ft seasonal dock and extend the existing 4 ft wide walkway over the bank 14 ft to connect the dock to the existing walkway over the bank on Lake Winnepesaukee, Gilford.

Conservation Commission/Staff Comments:
Con Com signed Exp Application

APPROVE PERMIT:

Completely remove an existing 6 ft by 30 ft seasonal dock, completely remove an existing 6 ft by 4 ft concrete pad in the bank and restore the shoreline to natural conditions, excavate 24 sqft to install a 6 ft by 4 ft concrete pad, construct a 6 ft by 40 ft seasonal dock and extend the existing 4 ft wide walkway over the bank 14 ft to connect the dock to the existing walkway over the bank on Lake Winnepesaukee, Gilford.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated June 25, 2004, revision date August 13, 2004, as received by the Department on August 17, 2004.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
6. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
8. Dredged material and construction debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. The shoreline in the area of the existing concrete pad shall be restored to match the existing adjacent shoreline.
10. The new concrete pad shall be located entirely behind full lake elevation and the natural undisturbed shoreline.
11. Seasonal pier shall be removed from the lake for the non-boating season.
12. No portion of the pier shall extend more than 40 feet from the shoreline at full lake elevation.
13. The walkway shall be located entirely over the undisturbed shoreline. No portion of the walkway shall extend over the waterbody.
14. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(a).
2. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

2004-01885 WEBSTER, TOWN OF
WEBSTER Unnamed Stream

Requested Action:

Replace two culverts and upgrade Call Road to provide safe access for 8 lots of a 12-Lot subdivision located on Webster Tax Map 5, Lot 30.

Conservation Commission/Staff Comments:
Conservation Commission signed the expedited application.

Inspection Date: 06/18/2004 by Jeffrey D Blecharczyk

APPROVE PERMIT:

Replace two culverts and upgrade Call Road to provide safe access for 8 lots of a 12-Lot subdivision located on Webster Tax Map 5, Lot 30.

With Conditions:

1. All work shall be in accordance with wetland impact plan by Landmark Land Services dated July 2004 and Subdivision plan dated March 16, 2004, as received by the Department on August 12, 2004.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback associated with the 12-Lot subdivision on Webster Tax Map 5, Lot 30.
3. Work shall be done during low flow.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Proper headwalls shall be constructed within seven days of culvert installation.
6. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This project will temporarily impact 200 sq ft of nontidal jurisdictional wetlands to upgrade Call Road associated with a subdivision of Lot 30 on Tax Map 5 and is therefore a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 sq ft of nontidal jurisdictional wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The Department has determined requested upgrades to Call Road are resultant of the Subdivision on Lot 30 on Tax Map 5.

AGRICULTURE MINIMUM

2004-01792 EARLE, THOMAS
CENTER CONWAY Drainage Swale

Requested Action:

Install one 18" x 24' culvert impacting approximately 240 square feet of wetlands, and a second 12" x 16' culvert impacting approximately 160 square feet of wetlands, total wetland impact approximately 400 square feet; for crossings to two agricultural fields.

Conservation Commission/Staff Comments:

Did not report.

APPROVE PERMIT:

Install one 18" x 24' culvert impacting approximately 240 square feet of wetlands, and a second 12" x 16' culvert impacting approximately 160 square feet of wetlands, total wetland impact approximately 400 square feet; for crossings to two agricultural fields.

With Conditions:

1. All work shall be in accordance with plans by NRCS dated March 2004, as received by the Department on August 2, 2004. All work shall adhere to the standards of the "Best Management Wetlands Practices for Agriculture," NH Dept. of Agriculture, dated

July 16, 1993, amended September 1998.

2. Any change in use to a non-agricultural purpose will require further permitting by the DES Wetlands Bureau.
3. This permit shall be recorded with the county Registry of Deeds office by the permittee.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(u), maintenance or improvement of existing crop of pasture land for continued agricultural use.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03, and that the proposal meets the requirements for agricultural applications per Wt 303.04(u)(1)-(8).
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

GOLD DREDGE

2004-02108 STROBINO, NOEL
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
Bath ConCom

LAKES-SEASONAL DOCK NOTIF

2004-02104 PICKMAN DEVELOPMENT LLC, JAMES PICKMAN
NEWBURY Lake Todd

COMPLETE NOTIFICATION:
New bury Tax Map 52, Lot# 64 Lake Todd

2004-02105 ANTHONY, MARGARET
HOLDERNESS Squam Lake

COMPLETE NOTIFICATION:
Holderness Tax Map 241, Lot# 29 Squam Lake

2004-02106 REIBLING, LAURA/LORENZ
EATON Conway Lake

COMPLETE NOTIFICATION:
Eaton Tax Map R1, Lot# 21 Conway Lake

2004-02124 WILSON, DAVID & MARTHA
NEW DURHAM Meerymeeting Lake

COMPLETE NOTIFICATION:

New Durham Tax Map 38, Lot# 22 Merrymeeting Lake

2004-02153 BOYER, DONALD
CONCORD Hot Hole Pond

COMPLETE NOTIFICATION:

Concord Tax Map 120, Lot# not given out by the Town Hot Hole Pond

ROADWAY MAINTENANCE NOTIF

2004-02092 DERRY, TOWN OF
DERRY Unnamed Stream

PERMIT BY NOTIFICATION

2004-01173 KAULBACH, MAX
ALTON Lake Winnepesaukee

Requested Action:

PBN#11, In-kind repair of existing breakwater on Lake Winnepesaukee with approximately 100 feet of shoreline frontage.

Conservation Commission/Staff Comments:

The Alton Conservation Commission signed the PBN and submitted comment stating no objection.

PBN IS COMPLETE:

PBN#11, In-kind repair of existing breakwater on Lake Winnepesaukee with approximately 100 feet of shoreline frontage.

2004-01746 GILFORD YACHT CLUB, C/O EDNA CARLSEN
GILFORD Lake Winnepesaukee

Requested Action:

Impact approximately 32 square feet of lake bottom to remove all concrete pilings and replace with wood pilings on Lake Winnepesaukee with approximately 1,200 feet of shoreline frontage.

Conservation Commission/Staff Comments:

The Gilford Conservation Commission signed the PBN form and the Minimum Impact Expedited Application.

APPROVE PERMIT:

Impact approximately 32 square feet of lake bottom to remove all concrete pilings and replace with wood pilings on Lake Winnepesaukee with approximately 1,200 feet of shoreline frontage.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction dated July 21, 2004, as received by the Department on August 30, 2004.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
4. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
5. Work shall be carried out in a time and manner such that there will be no disturbance to migratory waterfowl breeding areas or fish spawning areas.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. This permit does not allow for maintenance dredging.
8. Repairs to these structures may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau and Conservation Commission, in writing, of the proposed start and completion date prior to performing any repair.
9. Repairs shall maintain existing size, location and configuration.
10. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if it later determines that any "existing structures" were not previously permitted or grandfathered in their current configuration.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(o), Projects deemed minimum impact by the department based on the degree of environmental impact.
2. DES finds the impacts associated with the proposed project to be minimal. The applicant will be replacing pilings and changing the construction type. All dimensions and configurations will remain unchanged.
3. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2004-01762 FITE, DAVID & ELAINE
GILFORD Lake Winnepesaukee

Requested Action:

PBN#11, Repair existing breakwater in-kind on Lake Winnepesaukee on approximately 60 feet of shoreline frontage.

Conservation Commission/Staff Comments:

The Gilford Conservation Commission did not sign the PBN

PBN IS COMPLETE:

PBN#11, Repair existing breakwater in-kind on Lake Winnepesaukee on approximately 60 feet of shoreline frontage.

2004-01833 MOCCIA, NICHOLAS
RAYMOND

Requested Action:

Dredge approximately 1,000 square feet of man-made pond.

Conservation Commission/Staff Comments:

The Raymond Conservation Commission signed the PBN

PBN IS COMPLETE:

Dredge approximately 1,000 square feet of man-made pond.

2004-01895 FITCH, JAMES & SUSAN
CORNISH Unnamed Stream

Requested Action:

Dredge and fill approximately 100 square feet of forested wetland for the installation of three (3) culverts to access a single family residential lot.

Conservation Commission/Staff Comments:

The Cornish Conservation Commission signed the PBN.

PBN IS COMPLETE:

Dredge and fill approximately 100 square feet of forested wetland for the installation of three (3) culverts to access a single family residential lot.

2004-01896 JH SPAIN ASSOCIATES INC
PEMBROKE Unnamed Wetland

Requested Action:

Dredge and fill approximately 236 square feet of forested wetland to access a single family residential lot on approximately 4.43 acres.

Conservation Commission/Staff Comments:

The Pembroke Conservation Commission signed the PBN.

PBN IS COMPLETE:

Dredge and fill approximately 236 square feet of forested wetland to access a single family residential lot on approximately 4.43 acres.

2004-01961 SMITH, PETER
MIDDLETON Unnamed Stream

Requested Action:

PBN#1, Dredge and fill approximately 374 square feet of forested wetland (including approximately 28 linear feet of impact to an intermittent stream) for the installation of a 18"x15' culvert to access a single family residential lot on approximately 13.15 acres.

Conservation Commission/Staff Comments:

The Middleton Conservation Commission did not sign the PBN nor did they submit comment.

PBN IS COMPLETE:

PBN#1, Dredge and fill approximately 374 square feet of forested wetland (including approximately 28 linear feet of impact to an intermittent stream) for the installation of a 18"x15' culvert to access a single family residential lot on approximately 13.15 acres.

2004-02021 DEMERS, CAREY
NEWBURY Lake Sunapee

Requested Action:

PBN#11, Repair top course of existing cribs on Lake Sunapee with approximately 95 feet of shoreline frontage.

Conservation Commission/Staff Comments:

The Newbury Conservation Commission signed the PBN.

PBN IS COMPLETE:

PBN#11, Repair top course of existing cribs on Lake Sunapee with approximately 95 feet of shoreline frontage.

2004-02075 WESTSCOTT, GREGORY
LANCASTER Unnamed Stream

Requested Action:

PBN#1, Dredge and fill approximately 660 square feet of forested wetland (including 28 linear feet of impact to an intermittent stream) for the installation of a 36-inch by 24 foot culvert to access a single family residential lot on approximately 7.03 acres.

Conservation Commission/Staff Comments:

The Lancaster Conservation Commission signed the PBN.

PBN IS COMPLETE:

PBN#1, Dredge and fill approximately 660 square feet of forested wetland (including 28 linear feet of impact to an intermittent stream) for the installation of a 36-inch by 24 foot culvert to access a single family residential lot on approximately 7.03 acres.

2004-02076 WESTSCOTT, GREGORY
LANCASTER Unnamed Stream

Requested Action:

PBN#1, Dredge and fill approximately 190 square feet of forested wetland (including 27 linear feet of impact to an intermittent stream) for the installation of a 36-inch by 23 foot culvert to access a single family residential lot on approximately 7.12 acres.

Conservation Commission/Staff Comments:

The Lancaster Conservation Commission signed the PBN.

PBN IS COMPLETE:

PBN#1, Dredge and fill approximately 190 square feet of forested wetland (including 27 linear feet of impact to an intermittent stream) for the installation of a 36-inch by 23 foot culvert to access a single family residential lot on approximately 7.12 acres.

2004-02078 DURKEE, JOHN
WOLFEBORO Lake Winnepesaukee

Requested Action:

PBN#11, Impact approximately 240 of lake bottom for in-kind repair of existing cribs; one (1) 10'x16' and two (2) 8'x10' on Lake Winnepesaukee with approximately 100 feet of shoreline frontage.

Conservation Commission/Staff Comments:

The Wolfeboro Conservation Commission signed the PBN.

PBN IS COMPLETE:

PBN#11, Impact approximately 240 of lake bottom for in-kind repair of existing cribs; one (1) 10'x16' and two (2) 8'x10' on Lake Winnepesaukee with approximately 100 feet of shoreline frontage.

2004-02079 GORDON, HARRY
WOLFEBORO Unnamed Wetland

Requested Action:

PBN#1, Dredge and fill approximately 500 square feet of forested wetland (including 30 linear feet of impact to an intermittent stream) for the installation of a 24"x30' culvert to access a single family residential lot.

Conservation Commission/Staff Comments:

The Wolfeboro Conservation Commission signed the PBN.

PBN IS COMPLETE:

PBN#1, Dredge and fill approximately 500 square feet of forested wetland (including 30 linear feet of impact to an intermittent stream) for the installation of a 24"x30' culvert to access a single family residential lot.

2004-02110 MORIN, BRENDA
NOTTINGHAM Unnamed Stream

Requested Action:

DES cannot permit subdivisions with the PBN process.

PBN DISQUALIFIED:

DES cannot permit subdivisions with the PBN process.